

RHODE ISLAND DEPARTMENT OF PUBLIC SAFETY

Municipal Police Training Academy

Community College of Rhode Island — Flanagan Campus

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Colonel Steven G. O'Donnell Chief Anthony J. Silva

Commissioner, Department of Public Safety Executive Director

Superintendent, Rhode Island State Police Municipal Police Training Academy

Police Officers Commission on Standards & Training

Meeting Minutes

May 3, 2012

1. Welcome and Roll Call

Colonel Stephen M. McCartney called to order the regular meeting of the Police Officers Commission on Standards & Training (POST) at 10:05 a.m. on May3, 2012 in RIMPA-Lincoln.

Colonel McCartney asked Donna Lavallee to take a roll call. The following POST members were present: Colonel Stephen M. McCartney, Chief Anthony Pesare, Chief Edward Mello, Colonel Steven G. O'Donnell and Mr. Shawn Brown. Also present were Chief Anthony J. Silva, Mr. Richard B. Woolley, Esq., Captain David

Ricciarelli, Captain David DelBonis, Donna Lavalley, Ms. Lisa Holley, Major Wilfred Hill and Corporal Scott Raynes.

Colonel McCartney welcomed Mr. Shawn Brown, the newest POST member, who is the Town Administrator for the Town of Middletown.

2. Approval of the minutes

Colonel McCartney asked for approval of the minutes from the last meeting dated February 2, 2012. Chief Pesare made a motion to accept the minutes; Chief Mello seconded the motion. After no further discussion and all in favor (5-0), the motion carries and minutes were accepted.

3. Colonel Steven G. O'Donnell, DPS Commissioner, Discussion on the following:

• Consolidated Academy

Colonel O'Donnell stated that this is basic information only. He reviewed the Google monies that will be received by the RISP, North Providence PD and East Providence P.D. All the monies will be placed in a restricted funds account. He is in the process of putting information together on a consolidated police academy but this is in the very beginning stages. Colonel McCartney asked about a location and Colonel O'Donnell replied that there is nothing definitive yet. It will be located on state land and those talks and ideas are still being collected. There was some discussion on the pros and cons of having the Academy in a college environment and again, Colonel O'Donnell stated that these talks are still in the preliminary stages and he would welcome any ideas and input from the Chiefs.

Director Silva asked if we could jump to Agenda Item 5 as Chief

Carlone called and said he is running a little late.

5. Request from Chief Joseph H. Tavares for waiver of three-year rule:

- (ret) EPPD Lt. Steven Enos**

Director Silva stated that after speaking with Chief Tavares, he asked that this item be tabled as he is not in receipt of the necessary paperwork. Chief Anthony Pesare made a motion to table this item to the August POST meeting and Chief Mello seconded the motion. After all in favor (5-0), the motion was accepted.

6. Presentation on revised (recruit) Use of Force lesson plan:

- Captain Daniel Barzykowski, Use of Force Coordinator**

Captain Barzykowski explained that in 2009, the Academy curriculum transitioned to “Lock-Up”, which is now called “Police Combatives”. This instruction teaches the recruits to respond with their bodies before weapons. The Academy Use of Force Instructors train together and it is a mix of martial arts. Capt. Barzykowski is recommending not to change what we are doing but adding to it. He would like to have former Tiverton officer Dan Savery bring in techniques to train our cadre of instructors and two new recruits and then bring this training to all departments. It would be a 3-day training. Major Hill stated that he met with the Defensive Tactics instructors and saw them in action. It was very impressive, well orchestrated and professional. He feels without the Mixed martial Arts (MMA) training, that puts us at a deficit. Chief Mello stated that he knows Kevin Dillon of Lock Up Systems and his work is very impressive and he has witnessed the value. There was some

discussion with Paul Dutra of the Trust regarding the Use of Force Model policy that was drafted. Captain Barzykowski stated he met with Paul Dutra prior to initiating this. He is not trying to change the policy, just add to it. The theory is to teach the recruits that they should go to a level that is going to save their lives. Colonel McCartney made a recommendation to continue with the continuum and talk about this new program with everyone later. Director Silva agreed and said they will have time to meet before the next POST meeting. Chief Pesare made a recommendation that as we reconcile trainings with policy, they should go through the Standards Committee for the in-State Accreditation. Captain DelBonis stated they will teach the standard policy and look forward to changing its method. Chief Pesare made a motion to approve the revised lesson plan and Colonel O'Donnell seconded the motion. With all in favor (5-0), the motion was accepted.

4. Request from Chief Vincent T. Carlone for waiver of three-year rule

- **(ret) Coventry Officer Neil Laird**

Chief Silva stated that Chief Carlone of New Shoreham is petitioning the POST for a waiver under the three-year rule for (ret) Officer Neil Laird. He said this requesting this waiver under Paragraph D. The package was reviewed by the Staff, he is six weeks outside of the three-year rule, after serving 24 ½ years. He has continued and maintained training and experience and based on the documentation, he is recommending granting the waiver. Chief Pesare asked Officer Laird to review his experience at Coventry P.D. Chief Silva stated that if the waiver is granted, it is provisional based on the completion of

Legal Updates, Domestic Violence updates and certification of CPR/AED and contingent upon we be provided with that documentation. All learning objectives in these areas must be met. Mr. Brown made a motion to approve the waiver subject to all the recommendations of Chief Silva and Chief Pesare seconded the motion, All in favor (5-0), the motion carries.

7. Discussion of Statewide Testing (Written and Fitness Examination)
Chief Pesare started a discussion about a statewide testing process, which would include the Fitness, Swim and Written. It could be offered perhaps three times a year and the candidate would receive a card which would be valid for a specific amount of time. The added benefit is to the non-disadvantaged minorities and the cost-saving to each department for their personnel administering these tests. Chief Pesare stated that it will be up to POST representatives (maybe a committee) to develop. Colonel O'Donnell stated he placed Corporal Raynes here to assist in these administrative matters. He suggested perhaps getting this in place for the January academy class if all Police Chiefs are on board. Major Hill stated this will give the Police Chiefs a larger pool to choose from but the question is the grading system. Chief McCartney stated the appointment of a committee should be made today to look into this further. Chief Mello made a motion to appoint a committee and Chief Pesare seconded the motion. Under discussion, Chief Silva stated that was an endeavor that came up under Chief George Kelly a few years ago. The reality is that you have departments now recruiting for the January class. Colonel McCartney stated that they are leaving it up to the Committee

to vet these questions and concerns out. The Committee is Chief Pesare, Major Wilfred Hill and Corporal Scott Raynes.

8. Update on 118th Session, Recruit Class/Academy Schedule

- Captain David DelBonis
- Graduation, May 25, 2012

Captain DelBonis reviewed the current class, which is currently in Week 17. There are no problems and graduation is on target for May 25th. He reviewed all the community service projects that the class has taken part in to date.

9. Update on Continuing Education

- Captain David Ricciarelli

Captain Ricciarelli reviewed the current Con-Ed schedule through June.

10. Request from Providence Police Department for certification of the “Basic Swat Operator’s Course”

Chief Silva received a request from Major Tucker of Providence P.D. requesting approval of their SWAT course. Corporal Raynes stated he reviewed the course and it meets all POST requirements and he recommends the course be approved by the POST. Mr. Brown asked how long certification is good for and Chief Silva responded, three years. Colonel O'Donnell made a motion to approve Providence P.D.'s Basic Swat Operator's Course and Mr. Brown seconded the motion. With all in favor (5-0), the course was approved.

11. Discussion & recommendation of Academy Background Investigations-Credit History

Chief Silva stated that our Background Investigation requires a credit inquiry. It requires contact with the Federal Information Bureau. He spoke with Paul DiCoste and there is a software package of \$100.00 and a \$12.00 charge per inquiry. As a result, we have suspended the credit inquiry check for this class and are asking the POST to require departments to purchase this software so credit checks can be done. Chief Mello asked if this was a one-time purchase. Corporal Raynes replied yes, and Mr. DiCoste would send people to the P.D.'s to install the software. Colonel O'Donnell suggested that perhaps the Fusion Center has access to do these checks. Corporal Raynes stated that the RISP currently has two users but doesn't know how the billing system works. Chief Pesare made a motion to table this until we hear back from DPS and Colonel O'Donnell seconded the motion. With all in favor (5-0), the motion carries.

12. Discussion on Policy on Recruit Absence/Limited Participation Days

Chief Silva stated that we currently permit two absences and five Limited Participation Days. This was initially based on a 12 to 15-week Academy Class. We now have a 20-week class and upon

review, we feel the need to increase the days. He is recommending to leave the two absences and increase the Limited Participation Days to eight. Mr. Brown and Colonel O'Donnell made a motion to approve this recommendation and Chief Pesare seconded the motion. With all in favor (5-0), the motion carries.

13. Update on 119th Session, July 23, 2012

Director Silva stated that the size of the incoming July class is 60. He is proposing some options: Keeping all 60 recruits and going with two platoons. The class will more than likely be extended for a week or two. Another option is to start one class and start a second class six weeks later. Colonel McCartney stated he would back any decision the Director makes. Chief Silva stated if we go with the full class and two platoons, we will need to have Captain DelBonis in charge of the overall class and then have one person in charge of each platoon. Major Hill asked if we could solicit help from departments. Chief Silva said yes, but the key is to get the right person in those positions. Major Hill suggested Captain DelBonis choose the person(s) he would see as a good fit. He also suggests getting two full-time officers so there is no break and re-training. Captain Ricciarelli stated there is no doubt with a larger class it pushes the staff to the limit and the quality of the recruit training begins to suffer. Colonel O'Donnell asked why we are taking 60 recruits? Chief Silva stated that we don't have to, there can be a cap

put on it. Colonel O'Donnell suggested a cap for the future classes. Chief Pesare suggested future classes beginning January, 2013 be capped at 50 recruits. Colonel O'Donnell made a motion to accept this recommendation and Mr. Brown seconded the motion. With all in favor (5-0), motion carries. Under discussion, Chief Mello asked how the process would work. He stated it must be clearly communicated to all Police Chiefs. Chief Silva stated the Academy staff will come up with a process.

14. Discussion on "Provisional Certification"

Chief Silva suggested that a committee be set up to review this before the next POST meeting. Legal counsel may want to notify the departments. He suggests suspending the practice of police officers not POST certified from being able to go on the streets. Lisa Holley stated it is a very serious issue of putting someone on the street without certification. Paul Dutra of the Trust says he sees two issues: out-of-state and Providence PD officers. Major Hill stated he had Corporal Raynes review the Providence PD and RIMPA curriculum and there is very little difference. The Director stated that he looked at the new curriculum which we wrote for them; however, that curriculum has never been taught. We are talking about the curriculum that was used 20 years ago. These must be handled on a case-by-case situation due to the old curriculum that was in place. This is the practice that is used presently by the Academy. There is no clear reciprocity, each case must be reviewed entirely. Captain

DelBonis stated most out-of-state recruits average 200-300 hours to be completed here before certification.

15. Update on International Association of Directors of Law

Lisa Holley stated she went to Vermont to the IADLEST conference and participated in the NDI discussion. We currently use the NDI as an inquiry tool but we need to be a depositor into the index. Colonel McCartney asked if she could submit a memo to the POST and he could take it to the Police Chiefs for discussion.

16. Request for certification of Probationary Tactical Officer

- Inspector Chris Mathiesen**

Colonel McCartney recused himself and turned the meeting over to Chief Pesare.

Corporal Raynes stated that the Warwick PD will take on new members to their tactical team. They will be assigned to a training officer for a year. After a year, they can be considered “operational”. He reviewed the course and it meets and exceeds POST standards. They are highly trained staff and he recommends POST approval. Chief Mello made a motion to approve the certification and Mr. Brown seconded the motion. With all in favor, 5-0, motion carries.

Chief Pesare turned the meeting back over to Colonel McCartney.

17. Update on RI State Accreditation Initiative

• Chief Anthony Pesare

Chief Pesare updated everyone on the progress of the Accreditation. The Standards Committee is working on the final stages of writing the job description for the Program Coordinator. They are also preparing an application to DPS for the google money. Colonel McCartney commended Chief Pesare for his initiative and hard work with this project.

18. Post approval of academy Adjunct Instructors

Chief Silva asked for approval for all instructors included in the package: Corporal Scott Raynes, RISP; Attorney Patrick Youngs, RIAG; Sgt. Marc Boisvert, Johnston PD; Off. Kerri Mazur, E. Greenwich PD; Off. Robert Brown, NPPD. It was noticed that Off. Brown's application was not signed by his Current Acting Chief, Paul Martellini. Chief Silva stated that would be returned to him for signature and it would be withdrawn until the proper documentation came in. Mr. Brown made a motion to approve all the instructors with the exception of Officer Brown and Chief Pesare seconded the motion. With all in favor (5-0), motion carries.

19. Approval of Firearms (qualification)programs (pursuant to

11-47-15.3)

- **Smithfield**
- **East Greenwich**
- **Department of Environmental Management**
- **Capitol Police**
- **South Kingstown**
- **Department of Corrections**
- **Middletown**
- **Burrillville**

Chief Silva stated that all Firearms qualifications were reviewed by Major Lareto Guglietto with the exception of his department's and that was reviewed by Lieutenant Phil Gould. He recommends approval for all. Major Hill stated he forgot to send the Sheriff's Amended Firearms program. Chief Pesare and Mr. Brown are recusing themselves from the vote. Chief Silva recommended that the RI Sheriffs Department be added to the list, contingent upon review by the Firearms staff.

Chief Mello made a motion to approve all listed agencies and the approval of the RI Division of Sheriffs contingent upon final approval by the Firearms staff. The motion was seconded by Colonel O'Donnell. With all in favor (3-0), motion carries.

20. Adjournment:

The meeting was adjourned at 12:45pm by Colonel Stephen M. McCartney.

Minutes submitted by: Donna M. Lavalley, Administrative Assistant